Docket No.: H1890.0537

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Gary D. Hodgen et al.

Application No.: 08/462,703

Confirmation No.: 7915

Filed: June 5, 1995

Art Unit: 1617

For: ANTIPROGESTIN METHOD FOR

REDUCING SIDE EFFECTS ASSOCIATED WITH LOW DOSAGE HRT AND ORAL

CONTRACEPTION

Examiner: E. J. Webman

# RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

MS Appeal Brief - Patents Dear Sir:

In response to the Notice of Non-Compliant Appeal Brief dated December

20, 2007, attached hereto is a corrected Section III.

Dated: January 2, 2008

Respectfully submitted,

By /Edward A. Meilman/ Edward A. Meilman Registration No.: 24,735 DICKSTEIN SHAPIRO LLP 1177 Avenue of the Americas New York, New York 10036-2714 (212) 277-6500

Attorney for Applicant

#### Docket No.: H1890.0535

### III. STATUS OF CLAIMS

# A. Total Number of Claims in Application

There are 69 claims pending in application.

### B. Current Status of Claims

- 1. Claims canceled: 1-41, 45-55, 77-81, 84, 85, 106, 107, 109, 111, and 118
- 2. Claims withdrawn from consideration but not canceled: 0
- 3. Claims pending: 42, 43, 44, 56-76, 82, 83, 86-105, 108, 110, 112-117, and 119-134
- 4. Claims allowed: None
- 5. Claims rejected: 42, 43, 44, 56-76, 82, 83, 86-105, 108, 110, 112-117, and 119-134

# C. Claims On Appeal

The claims on appeal are claims 42, 43, 44, 56-76, 82, 83, 86-105, 108, 110, 112-117, and 119-134